

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BANK OF AMERICA, N.A.,

Plaintiff(s),

vs.

TREASURES LANDSCAPE MAINTENANCE
ASSOCIATION, et al.,

Defendant(s).

Case No. 2:16-cv-00380-JCM-NJK

ORDER

(Docket No. 42)

“I am not the Maytag repairman of federal judges desperately hoping for something to do.” *Mazzeo v. Gibbons*, 2010 WL 3020021, *1 (D. Nev. July 27, 2010). “[O]ther cases, motions filed, scheduled hearings and settlement conferences do not afford me the luxury of dropping everything to hear a party’s perceived ‘emergency.’” *Id.* Hence, requests for emergency resolution of a motion or stipulation should be made sparingly, and should be filed only when the movant has not delayed in bringing the issue to the Court’s attention. *See Cardoza v. Bloomin’ Brands, Inc.*, 141 F. Supp. 3d 1137, 1140-42 (D. Nev. 2015); *see also* Local Rule 7-4(b).

Nine days ago, the Court set a hearing in this case for August 2, 2016. *See* Docket No. 36. Yesterday afternoon, counsel for Nevada Association Services (Christopher Yergensen) filed a defective stipulation seeking to continue that hearing without providing any reasons whatsoever for the continuance requested. *See* Docket No. 39; *see also* Docket No. 40 (corrected image). The Court promptly denied that stipulation. *See* Docket No. 41; *see also* Local Rule IA 6-1 (establishing requirements for requests to continue). Thereafter, at 9:50 a.m. today, Mr. Yergensen renewed that

1 stipulation, explaining that he would be out of town until August 3, 2016. *See* Docket No. 42. Mr.
2 Yergenson did not file that stipulation in accordance with the procedures for seeking emergency relief.
3 *See, e.g.*, Local Rule 7-4. Instead, his staff simply telephoned the Clerk's Office at 9:52 a.m. to instruct
4 the Court that Mr. Yergenson required an order on his stipulation by noon, at which time he planned to
5 catch a flight. In doing so, Mr. Yergenson disrupted the Court's already-scheduled calendar and duties,
6 which include presiding over a settlement conference throughout the morning. Mr. Yergenson's
7 conduct also displays a lack of understanding of his duties as an attorney and the requirements for
8 practicing law in this Court, a recurring problem. While Mr. Yergenson may wish to have his stipulation
9 resolved within two hours of its filing, he provides no explanation why that stipulation was not filed nine
10 days ago when the Court set the instant hearing.¹ Attorneys lack the prerogative to delay in seeking
11 relief and then to demand that relief on an expedited basis. *See, e.g., Cardoza*, 141 F. Supp. 3d at 1143.
12 Nor do attorneys dictate to the Court the schedule on which requests are resolved, whether presented as
13 an emergency or not. *See, e.g.*, Local Rule 7-4(c).

14 Because Mr. Yergenson's conduct has already disrupted the Court's ability to conduct its other
15 duties, and as a one-time courtesy, the Court will nonetheless rule on the stipulation at this time. That
16 stipulation is hereby **GRANTED** and the hearing is continued to 10:00 a.m. on August 12, 2016, in
17 Courtroom 3B. In the future, counsel's self-made emergency will not prompt expedited relief being
18 ordered by the Court. The Court also again expresses concern that Mr. Yergenson is not prepared to
19 practice law in this Court. **Mr. Yergenson must take all appropriate steps to understand the**
20 **requirements for practicing in this Court.**

21 IT IS SO ORDERED.

22 DATED: July 28, 2016

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24 
NANCY J. KOPPE
United States Magistrate Judge

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28 ¹ Nor does Mr. Yergenson explain why he failed to comply with even the most basic requirements
for stipulations in his filing yesterday.